

09/769,452

**REMARKS**

Claims 1-25, all the claims pending in the application, stand rejected on prior art grounds. Applicants respectfully traverse these objection/rejections based on the following discussion.

**I. The Prior Art Rejections**

Claims 1-25 stand rejected under 35 U.S.C. §103(a) as being anticipated by Emery (US Patent 5,727,057) in view of Glorikian (U.S. Patent No. 6,343,317). Applicants respectfully traverse these rejections based on the following discussion.

**A. The Rejection Based on Emery in view of Glorikian**

In response to the previous Amendment, the Office Action admits that Emery does not teach a portable wireless device that sorts data presented to the user in a shortest-distance-first order and refers to Glorikian as teaching this feature. More specifically, in column 5, line 37-column 6, line 28, Glorikian explains that information can be pushed to a portable device based upon the specific GPS location of the portable device. However neither of these references teach the claimed feature of the invention that performs the shortest-distance-first sorting process within the portable device itself. Therefore, as explained in greater detail below, it is Applicant's position that the claimed invention is patentable over the prior of record.

More specifically, the structure illustrated in Applicant's Figure 1 includes a session manager 21 within the wireless component 2. As explained on page 5, lines 14-16 of the application, the session manager 21 include components to enable sorting function capability based upon the geo-spatial location of the user. Therefore, the actual wireless component itself performs the shortest-distance-first sorting operation. This makes the invention much more flexible because each individual wireless component can be configured for specific databases and specific geo-spatial sorting operations based upon the specific nature and user function

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associated with the wireless component. Therefore, the invention can be used with generic databases which do not need to be altered. Further, the invention avoids the need for significant changes to the wireless infrastructure, in that all the sorting capabilities are performed within the wireless component itself.

Applicants submit that these features are well defined by independent claims 1, 10, 18, and 23. More specifically, the claims define "sorting, within said CWC, said document database in a shortest-distance-first order" (claims 1, 10, and 23) and "whereby location dependent data used by said CWC is sorted by said session manager in a shortest-distance-first order" (claim 18).

The applied prior art references do not teach or suggest such features. More specifically, as shown in Figure 1 of Emery, the mobile device 105.1 does not include any sorting capabilities, and instead elaborate infrastructure systems are required in order to perform the sorting operations within Emery. Similarly, Glorikian illustrates, in Figure 1, relatively unsophisticated wireless components 29, 31 with all the sorting and database operations being performed within a complicated infrastructure system 11. To the contrary, the claimed invention does not require substantial changes to the existing infrastructure and instead includes the sophistication and inventive features within the wireless device itself.

Thus, it is Applicants' position that the prior art of record does not teach or suggest "sorting, within said CWC, said document database in a shortest-distance-first order" (claims 1, 10, and 23) or "whereby location dependent data used by said CWC is sorted by said session manager in a shortest-distance-first order" (claim 18). Therefore, it is Applicants' position that independent claims 1, 10, 18, and 23 are patentable over the prior art of record. Dependent claims 2-9, 11-17, 19-22, 24, and 25 are similarly patentable, not only by virtue of their dependency from a patentable independent claim, but also by virtue of the additional features of the invention they define. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

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**II. Formal Matters and Conclusion**

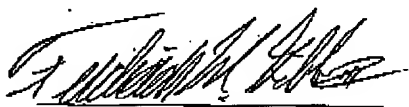
Applicants submit that claims 1-25, all the claims presently pending in the application, are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0441.

Respectfully submitted,

Dated: 6/22/04



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